



**VIOLENCE AT  
WORK -  
A SURVEY OF  
UNISON  
EMPLOYERS  
IN SCOTLAND  
2014**

October 2014

**UNISON Scotland**  
**Health & Safety Conference**  
**24 October 2014**

**Violent Assaults on Public Service Staff in Scotland**  
**Follow up Survey 2014**

**1. INTRODUCTION**

Since 2006, UNISON Scotland has carried out an annual survey of assaults to public sector workers by issuing a Freedom of Information request to all employers of UNISON members in the public sector. The 2014 survey was carried out from August to October 2014 using e-mail addresses.

Our analysis of the figures received for 2014 shows a total figure of **37,052** assaults - an increase of **3,363** compared with last year's figures. Over the year Local Government assaults have **increased** by **850** to **15,729**, and in Health there has been an **increase** of **2,439** from **12,618** in **2013** to **15,057**. This can partly be explained by a change in the accounting system in Scottish Borders Health Board.

Our first survey in 2006 identified just over 20,000 violent incidents that year in the NHS and local government, and the figures have increased since that time and remain unacceptable. This may reflect greater awareness and better reporting, however, it is clear the problem is not going away.

The recording of incidents in the health service continues to improve, with a computer programme which appears to have made reporting much easier, although, there is not as much breakdown into job categories or additional information given.

Reporting in local authorities has improved over the last couple of years, with more councils being able to produce proper information. However, there are several whose information is limited, e.g. they are still sending in a list of assaults, with no totals, and clearly no co-ordination between separate departments. This indicates that while we are starting to get our message across, many local authorities still do not collate adequate statistics on violence and cannot, therefore, have a strategy for combating the level of assaults on their workers. Overall monitoring of figures within an authority cannot take place if the statistics are kept in departmental silos and never collated centrally.

In addition, there is still a reluctance on the part of some employers and even some staff, to acknowledge assaults by "looked after people", e.g. children, elderly people, or those with learning disabilities, as there are in some instances perceptions that these types of assaults are just part of the job and have to be tolerated. One employer in local government last year, referred to "deliberate" and "unintended" physical violence and this year makes the comment that assaults on social care staff were all by severe dementia patients.

The work that UNISON instigated with the STUC, the Scottish Centre for Healthy Working Lives and representatives of Scottish local authorities to develop best practice guidelines came to an end when guidelines for local government were published in February 2010, entitled “*Managing occupational violence in the workplace*”. These guidelines are now used by several councils who have produced or are in the process of drafting new policies, based on the guidelines.

For the past few years, we have asked for breakdown of local authority figures to show assaults on non-teaching staff and again, this year, we also asked for information on assaults to housing staff, and social care staff.

## 2. LEGISLATION

UNISON Scotland campaigned for and welcomed the introduction of the Emergency Workers (Scotland) Act (EWA) in 2005. We wanted to see legislation much wider in scope than the Bill as originally drafted. We favoured a Bill covering all public service workers and it still remains our view that the Bill should have given statutory effect to that guidance, recognising that workers providing a service to the public should be given specific legal protection.

There were significant objections to the Emergency Workers (Scotland) Bill by the Law Society and Faculty of Advocates, amongst others, who argued that common law and other statutory provisions covered most of the Bill’s provisions. It was even claimed that there would be no successful prosecutions. However, the Act has been used extensively with 2120 prosecutions to date. The latest figures available show that in 2012/13 there were 330 convictions under the Act, a small decrease of 26.

People with a charge proved in Scottish Courts for offences under the Emergency Workers (Scotland) Act 2005								
	2005 -06	200 6- 07	200 7-08	200 8-09	2009 -10	2010 -11	2011- 12	2012- 13
<b>Emergency Workers (Scotland) Act 2005 - Total</b>	<b>54</b>	<b>200</b>	<b>275</b>	<b>301</b>	<b>281</b>	<b>323</b>	<b>356</b>	<b>330</b>
Emergency Workers (Scotland) Act 2005:Section 1(1)	11	44	40	74	113	136	159	139
Emergency Workers (Scotland) Act 2005:Section 2(1)	14	74	90	76	37	39	34	36
Emergency Workers (Scotland) Act 2005:Section 3(1)	-	3	2	4	2	4	1	2
Emergency Workers (Scotland) Act 2005:Section 5(1)	29	79	143	147	129	144	162	153

S:1(1) - Assault, obstruct or hinder constable/fire officer/person providing assistance in terms of S:35 or S:36 of the Fire (Scotland) Act 2005/ambulance worker.  
 S:2(1) - Assault, obstruct or hinder other emergency workers responding to emergency circumstances  
 S:3(1) - Assault, obstruct or hinder person assisting emergency worker responding to emergency circumstances  
 S:5(1) - Assault, obstruct or hinder health worker/ambulance worker/assistant to said workers on hospital premises

Although the issue of workplace violence has moved higher up the public agenda since the introduction of the EWA and deliberate acts of violence on public service workers have, rightly, been condemned by most members of the public, the prospect of further legislation has stalled over recent years and there appears to be no likelihood of any improvement in the near future. The Scottish Government opposed Hugh Henry’s proposed Protection of Workers (Scotland) Bill in 2009

which then fell and to date have no plans to introduce similar legislation themselves.

However, the experience of our membership and the results of our surveys tell us that the most vulnerable workers are not necessarily those from the emergency services but that all workers who deal with the public are at risk. Care workers face twice the national average risk of assault and nurses four times. There has also been a huge increase in assaults in schools, both for teaching and non-teaching staff. Whilst there has been a focus over the years on assaults to teachers, non-teaching staff, such as classroom assistants, pupil support assistants, assistants for special needs pupils often deal with the most difficult pupils in a school and are more likely to experience physical assaults.

A recent EIS Freedom of Information survey showed that in 10 out of 32 councils, assaults in schools against teachers had risen year on year since 2011/12, while the number of assaults dropped in just eight council areas. Overall, there were 1,879 incidents in 2013/14, down on 2012/13, but still 16 per cent up on the 1,617 in 2011/12.

The current EWA with its emphasis on 'blue light' services has the consequence of providing protection to predominantly male groups of workers., rather than nurses, care workers and classroom assistants, who are mainly female. This is an equal opportunities issue.

### **3. FREEDOM OF INFORMATION SURVEY 2014**

As in our previous surveys, the 2014 survey was sent to all local authorities and health boards in Scotland, as well as to other public sector areas in which UNISON organises, asking for details on the number of assaults on workers during the past year, broken down by job title or department and nature of assault.

In response to the survey, we received data from 30 local authorities, and most area and Special Health Boards, Police Scotland, Fire Service Scotland and all Universities and some NDPBs. The use of email addresses had continued to provide positive information in local government and health, except one area health board and one special health board which had been missed out, and one local authority whose email address had changed, but whose system does not provide an "undeliverable" message. These are currently being chased up.

City of Glasgow advised that they were unable to provide the figures, despite having done so in all previous years and an appeal against the council is currently underway. They appear to be updating their system to allow for electronic recording, which is the reason given for their inability to provide the information requested. For comparative purposes, the figures from 2013 have been counted for those councils that did not respond in time, namely, Angus Council, City of Glasgow, Western Isles Health Board and the State Hospital, Carstairs.

#### **Local Government**

Local government figures had increased 850 over the previous year, to 15,729. This year, of those that responded, 10 councils had cut their assault levels, but 19 had shown increases and three had stayed the same. Over the past year, North Ayrshire, Perth & Kinross and West Dunbarton had all decreased by a considerable amount. Against this, Argyll & Bute, Clackmannanshire, Highland, Moray, Renfrewshire and West Lothian had all shown large increases. Improvements to the collation of figures had been made in several councils, with some preparing yearly reports for councillors to consider and make recommendations. Education

continues to have the highest levels of assault, but Social care also continued to have high figures, especially in residential and home care settings.

Of the figures given, and in the absence of Glasgow's figures, Dundee City and City of Edinburgh are the two highest.

Again councils were asked if they could indicate the levels of assaults on classroom assistants and other support staff who often deal with pupils who are excluded from their main classes. This year, there were more who broke their figures down to indicate non-teaching staff or classroom assistants/pupil support assistants, but also including, instructors, janitors, and admin staff, etc. Some only gave figures for non-teaching staff, others education as a whole. There were 4845 assaults on specifically non-teaching staff. Differences with reporting systems mean that the overall total will be a lot higher.

Social care figures added up to 3237 with 428 in one care home alone. The rise in elderly people being looked after in their own homes with the subsequent rise in home carers accounts for many of the above figures.

Recent changes to the benefit system, with Housing Benefit now being paid direct to tenants, and the introduction of the bedroom tax, are increasingly reported to be causing rent arrears which in turn are leading to possible evictions. Once again, we asked councils to indicate any assaults that had been recorded on housing staff, and whether they were introducing any special measures to protect these particular employees. In their responses, many councils advised that they no longer held housing stock, therefore could not answer that aspect of the question. Despite that there were 195 assaults among the remainder.

Six councils advised that they were making special arrangements to protect housing staff, Some advised that their systems provided for housing officers to advise where they were going, to note all appointments and specify addresses they would visit, and a few had or were compiling lists of potentially violent clients to share across all teams to ensure that everyone was aware of potentially violent risks. Several had lone working policies which covered these aspects, including mobile phone links.

There were 85 assaults on parking attendants, with high number of these in Perth & Kinross Council.

Much still continues to be made of the fact that many of the assaults are caused by children with special needs, or elderly people with dementia type illnesses. There continues to be an assumption that because some people have a reduced capacity, these kind of risks are therefore, part of the job. One council referred to deliberate and unintentional assaults last year, and now advises that its social care assaults were all by severe dementia patients. UNISON is aware that some people have illnesses which can lead them to kick out at staff for various reasons, however, this does not excuse employers, as there are many precautions and safeguards that can be implemented to protect their staff, which some have done, as is reflected in their figures.

### **Health Service**

In 2013/14 figures in the NHS increased by **2,349** over the year to **15,057**. Eight boards had decreased their figures and six had increased, including 3 special health boards, mostly by small numbers, with the exception of Scottish Borders who

had increased by 2,409 to 4,370, making it by far the highest in Scotland, with NHS Greater Glasgow and Clyde, (2,590) and Lothian (1,807) the next highest although both of these were slightly down.

We enquired about the Scottish Borders figures and their response was that they do “frequency reporting” which means that 1 incident form can contain multiple incidents for a maximum of a 24hr period. So having a figure of 4334 incidents and a figure of 1042 staff involved means that the same staff are experiencing the aggressive incidents over and over especially in mental health. Other Health Boards do not have arrangements to facilitate frequency reporting. They claim they are aiming for better reporting and a better understanding of what staff are experiencing by using frequency reporting.

Most boards are now recording digitally, but this appears to mean that they are not able to break down into types of assaults, or groups of staff, as they had previously done. Again, amongst those who did categorise staff groups, the majority of assaults were on nursing staff, both in acute hospitals and in the community and mental health settings.

Among the Special Health Boards, NHS 24’s figures showed a marked increase in their assaults from 43 to 71, amongst call handlers and nurse practitioners. UNISON and the Scottish Government carried out research into phone rage and produced a protocol which is now part of the work of the Scottish Centre for Healthy Working Lives. NHS 24 has introduced a series of rest rooms where staff can go to take time out following abusive or difficult calls. Scottish Ambulances’s figures had increased slightly to 321.

#### **Police Scotland**

The figures for 2013/14 show a very slight decrease from **6,187** to **6163**. These were stated as 6156 minor and 7 serious. This was the second year that figures had been obtained from the newly formed Police Scotland. They seemed to have difficulty in providing the figures, and whilst they supplied the overall figure, were unable to break down into police officers and police staff.

#### **Fire and Rescue Scotland**

This was the first time that we had received figures, as they were just in process of being set up last year. There were 88 assaults, 76 to operational staff, 43 with missiles and 3 with weapons. There were 12 assaults on non-operational staff, mainly verbal, although 4 with missiles.

#### **Universities and Colleges**

All universities provided figures this year, and although only amounting to 10 assaults in total, 8 were in the University of Edinburgh, with 4 on security officers, 2, professional services staff and 2 academic staff.

Due to the changing situation with college mergers during 2013, it was still difficult for colleges to provide figures this year. Again, colleges usually show very low numbers of assaults, but UNISON is concerned that this could be due to under-reporting and further work will be done on this sector, once the mergers are all in place. Of those that could supply figures, there were 9 assaults.

### **Non-Departmental Public Bodies (NDPBs)**

Although all bodies in which UNISON has membership were written to only 5 replied and the rest are being chased up. There were 37 assaults in total, mainly from SEPA, Children's Reporters and Skills Development Scotland.

## **4. CONCLUSIONS**

The main conclusion to be drawn from this report are the continuing increases in the numbers of assaults on public sector staff in local government and the NHS, with all sectors increasing or staying mainly the same..

The reporting systems, particularly in local government have improved a lot, but still show no consistency. We need to urge all councils to put the guidelines produced in 2010 by the Scottish Centre for Health Working Lives into practice, in the hope that the level of assaults can fall across Scotland.

As we continue to stress, however, whatever the figures, and however they are collated, it is still clear that there continues to be an unacceptably high level of violence being perpetrated against public facing staff in Scotland. UNISON Scotland believes that attacks on **any** staff delivering public services should be treated under the law as serious assaults.

**Diane Anderson**  
**October 2014**

### **Further information/link:**

<http://www.unison-scotland.org.uk/safety/ViolenceAtWorkSurveyOctober2014.pdf>

UNISON Scotland Health & Safety pages

<http://www.unison-scotland.org.uk/safety/abouts.html>

UNISON Health & Safety Site – Anti -Violence Campaign

[http://www.unison.org.uk/safety/pages\\_view.asp?did=6077](http://www.unison.org.uk/safety/pages_view.asp?did=6077)

It's not part of the job: UNISON's guide to tackling violence at Work.

<http://www.unison.org.uk/file/4096.pdf>

### **Contacts:**

Dave Watson: [d.watson@unison.co.uk](mailto:d.watson@unison.co.uk)

Diane Anderson: [diane.anderson@unison.co.uk](mailto:diane.anderson@unison.co.uk)